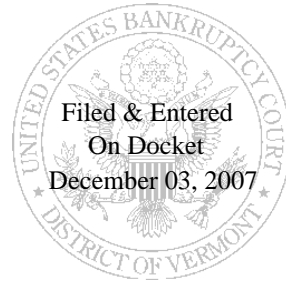


UNITED STATES BANKRUPTCY COURT
DISTRICT OF VERMONT



In re:

ROME FAMILY CORPORATION,
Debtor.

Chapter 7 Case
02-11771

NANAK HOSPITALITY, LLC,
Plaintiff,

v.

HASKINS GAS SERVICE, INC.,
Defendant.

Adversary Proceeding
07-1010

Appearances: James B. Anderson, Esq.
Ryan, Smith & Carbine, Ltd.
Rutland, Vt.
For the Plaintiff

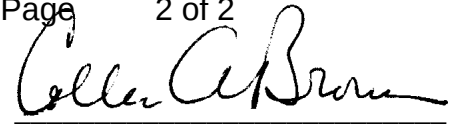
Richard A. Lang, Jr., Esq.
Bauer, Gravel, Farnham, Nuovo,
Parker & Lang
Burlington, Vt.
For the Defendant

ORDER

**DENYING BOTH PARTIES' CROSS-MOTIONS FOR JUDGMENT ON THE PLEADINGS,
AND THE DEFENDANT'S MOTIONS FOR RELIEF PURSUANT TO RULE 12(B)(1) AND RULE 60(B)(6)
AND AMENDING SCHEDULING ORDER**

For the reasons set forth in the Memorandum of Decision of even date, IT IS HEREBY ORDERED that:

1. the Plaintiff's Fed. R. Civ. P. Motion for Judgment on the Pleadings (doc. # 15), as incorporated by Bankruptcy Rule 7012(c), is denied;
2. the Defendant's Cross-Motion for Judgment on the Pleadings (doc. ## 29, 30) is denied;
3. the Defendant's Motion for Relief pursuant to Fed. R. Civ. P. 12(b)(1) (doc. ## 29, 30), as incorporated by Bankruptcy Rule 7012, is denied;
4. the Defendant's Motion for Relief pursuant to Fed. R. Civ. P. 60(b)(6) (doc. ## 29, 30), as incorporated by Bankruptcy Rule 9024, is denied; and
5. the scheduling order entered on September 21, 2007 (doc. # 23) is amended to direct that
 - (a) the parties shall complete discovery by **February 15, 2008**;
 - (b) the parties shall file a joint stipulation of facts and final pre-trial statement by **March 11, 2008**;
 - (c) the parties shall file final witness and expert disclosures by **March 21, 2008**; and
 - (d) the parties shall appear at a final pre-trial conference, either in person in Rutland or by videoconference, on **March 25, 2008 at 11:00 a.m.**

A handwritten signature in black ink, appearing to read "Colleen A. Brown", written over a horizontal line.

December 3, 2007
Rutland, Vermont

Colleen A. Brown
United States Bankruptcy Judge